

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA

10 LAURINCE O'SHEIGH SIMPSON, ) No. C 13-03348 EJD (PR)  
11 Plaintiff, ) ORDER OF DISMISSAL  
12 v. )  
13 )  
14 D. CALDWELL, et al., )  
15 Defendants. )  
16

17 Plaintiff, a state prisoner at Correctional Training Facility - Soledad ("CTF-  
18 Soledad"), filed a letter on July 18, 2013, which initiated this civil rights action under 42  
19 U.S.C. § 1983. (Docket No. 1.) The action was dismissed on October 17, 2013, due to  
20 Plaintiff's failure to file a proper complaint in the time provided. (Docket No. 13.) On  
21 November 5, 2013, in the interest of justice, the Court granted Plaintiff an opportunity to  
22 have the matter reopened upon filing of a proper complaint. (Docket No. 16.) On  
23 December 6, 2013, Plaintiff filed a complaint seeking an "emergency" preliminary  
24 injunction prohibiting prison officials at CTF-Soledad from transferring Plaintiff to  
25 another facility. (Docket No. 17.) On August 21, 2014, the Court ordered Plaintiff to file  
26 with the Court a notice of his current address and his continued intent to prosecute.  
27 (Docket No. 18.) On October 17, 2014, Plaintiff filed notice of his intent to prosecute and  
28 sought to file an amended complaint. (Docket No. 19.) In response, on April 3, 2015, the

1 Court vacated the October 17, 2013 order of dismissal, reopened the action and granted  
2 Plaintiff leave to file an amended complaint. (Docket No. 21.) On April 21, 2015, the  
3 Court's April 3, 2015 order reopening the case was returned as undeliverable with a  
4 notation that the Plaintiff was paroled on November 9, 2014. (Docket No. 22.) As of the  
5 date of this order, Plaintiff has not filed a notice of change of address or submitted any  
6 further pleadings in this case.

7 Pursuant to Northern District Local Rule 3-11 a party proceeding pro se must  
8 promptly file a notice of change of address while an action is pending. See L.R. 3-11(a).  
9 The Court may, without prejudice, dismiss a complaint when: (1) mail directed to the pro  
10 se party by the Court has been returned to the Court as not deliverable, and (2) the Court  
11 fails to receive within sixty days of this return a written communication from the pro se  
12 party indicating a current address. See L.R. 3-11(b).

13 More than sixty days have passed since the mail addressed to Plaintiff was  
14 returned as undeliverable. The Court has not received a notice from Plaintiff of a new  
15 address. Accordingly, the instant civil rights action is **DISMISSED** without prejudice  
16 pursuant to Rule 3-11 of the Northern District Local Rules.

17 The Clerk shall terminate any pending motions.

18  
19 DATED: 6/22/2015

  
EDWARD J. DAVILA  
United States District Judge